

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIASAT, INC.,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION and
WESTERN DIGITAL TECHNOLOGIES, INC.,

Defendants.

Case No. 6:21-cv-01230-ADA

**JOINT NOTICE TO THE COURT CONCERNING DISMISSAL OF
PLAINTIFF’S PRE-SUIT INDIRECT INFRINGEMENT ALLEGATIONS**

Pursuant to Part VI of the March 7, 2022 Standing Order Governing Proceedings (OGP) 4.0—Patent Cases (“OGP 4.0”)¹, Plaintiff Viasat, Inc. (“Plaintiff”) and Defendants Western Digital Corporation and Western Digital Technologies, Inc., (“Defendants”) provide this joint notice to the Court that the parties hereby stipulate to dismissal of Plaintiff’s pre-suit indirect infringement allegations without prejudice, with leave to re-plead those allegations with specificity, if supported by a good faith basis under Rule 11, within three months after fact discovery opens while permitting fact discovery on indirect infringement during those three months. *See* OGP 4.0 at 5. Viasat does not agree to dismiss its claims of post-filing indirect infringement.

¹ The OGP 4.0 was entered in the present action on March 10, 2022. *See* Text Order, Case No. 6:21-cv-01230-ADA (W.D. Tex. Mar. 10, 2022).

Dated: March 25, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 25, 2022, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF.

/s/ Amanda Adame
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